UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,737	09/30/2004	Lee George LABORCZFALVI	2006579-0141	5736

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EXAMINER
MORRISON, JAY A

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 February 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-32</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some *   c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>2/11/08</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Remarks

1.   Claims 1-32 are pending.

2.   The information disclosure statement (IDS) submitted on 2/11/2008 has been

considered by the examiner.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

2/11/2008 has been entered.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

5.   Claims 23-32 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. The claimed subject matter, "an isolation

environment", does not fit into any of the statutory categories (process, machine,

manufacture, or composition of matter). In order for the claimed subject matter to fit into

a statutory category under 35 USC 101, the Applicant is requested to further distinguish

the claimed subject matter to adhere to one of these categories.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kagi et

al. ('Kagi' hereinafter) (Publication Number 2006/0064697).

        As per claim 1, Kagi teaches

A method for isolating access by application programs to native resources provided by an operating system, the method comprising the steps of: (see abstract and background)

(a) redirecting to an isolation environment comprising a user isolation scope and an application isolation scope a request for a native resource made by a process executing on behalf of a first user; (virtual machine which performs isolation by virtualizing resources, paragraph [0019], lines 5-15)

(b) locating an instance of the requested native resource in the user isolation scope on behalf of a first user; (virtual device inside of VMM, paragraph [0022], lines 18-21)

and (c) responding to the request for the native resource using the instance of the required native resource located in the user isolation scope. (virtual devices virtualize functionalities of physical devices, paragraph [0026], lines 1-3)

As per claim 2, Kagi teaches

step (b) comprises failing to locate an instance of the requested native resource in the user isolation scope. (paragraph [0063], lines 3-5)

As per claim 3, Kagi teaches

step (c) comprises redirecting the request to the application isolation scope. (paragraph [0028], lines 1-5)

As per claim 4, Kagi teaches

(d) locating an instance of the requested native resource in the application

isolation scope; (paragraph [0025], lines 4-6)

and responding to the request for the native resource using the instance of the

requested native resource located in the application isolation scope. (paragraph [0025],

lines 5-8)

As per claim 5, Kagi teaches

step (e) comprises creating an instance of the requested native resource in the

user isolation scope that corresponds to the instance of the requested native resource

located in the application isolation scope and responding to the request for the native

resource using the instance of the requested native resource created in the user

isolation scope. (paragraph [0026], lines 8-12)

As per claim 6, Kagi teaches

step (d) comprises failing to locate an instance of the requested native resource

in the application isolation scope. (paragraph [0063], lines 3-5)

As per claim 7, Kagi teaches

step (e) comprises responding to the request for the native resource using the

system-scoped native resource. (paragraph [0023], lines 1-4)

As per claim 8, Kagi teaches

step (e) comprises: creating an instance of the requested native resource in the user isolation scope that corresponds to the instance of the requested resource located in the system scope and responding to the request for the native resource using the instance of the resource created in the user isolation scope. (paragraph [0019], lines 6-10)

As per claim 9, Kagi teaches

the step of hooking a request for a native resource made by a process executing on behalf of a first user. (paragraph [0024], lines 2-5)

As per claim 10, Kagi teaches

the step of intercepting a request for a native resource executing on behalf of a first user. (paragraph [0025], lines 4-7)

As per claim 11, Kagi teaches

the step of intercepting by a file system filter driver a request for a file system native resource executing on behalf of a first user. (paragraph [0026], lines 10-14)

As per claim 12, Kagi teaches

step (a) comprises redirecting to an isolation environment comprising a user

isolation scope and an application isolation scope a request for a file made by a process

executing on behalf of a first user. (paragraph [0027], lines 3-7)

As per claim 13, <u>Kagi</u> teaches

step (a) comprises redirecting to an isolation environment comprising a user

isolation scope and an application isolation scope a request for a registry database

entry made by a process executing on behalf of a first user. (paragraph [0026], lines 10-

15)

As per claim 14, <u>Kagi</u> teaches

(d) redirecting to the isolation environment a request for the native resource

made by a second process executing on behalf of a second user; (paragraph [0025],

lines 8-12)

(e) locating an instance of the requested native resource in a second user

isolation scope; (paragraph [0025], lines 10-14)

(f) and responding to the request for the native resource using the instance of the

native resource located in the second user isolation scope. (paragraph [0025], lines 10-

16)

As per claim 15, <u>Kagi</u> teaches

the process executes concurrently on behalf of a first user and a second user.

(paragraph [0022], lines 4-10)

As per claim 16, <u>Kagi</u> teaches

step (e) comprises failing to locate an instance of the requested native resource

in the second user isolation scope. (paragraph [0063], lines 3-5)

As per claim 17, <u>Kagi</u> teaches

step (f) comprises redirecting the request to the application isolation scope.

(paragraph [0028], lines 2-5)

As per claim 18, <u>Kagi</u> teaches

(d) locating an instance of the requested resource in the application isolation

scope; (paragraph [0025], lines 2-5)

and (e) responding to the request for the native resource using the version of the

native resource located in the application isolation scope. (paragraph [0025], lines 3-6)

As per claim 19, <u>Kagi</u> teaches

(d) redirecting to the isolation environment a request for a native resource made

by a second process executing on behalf of a first user; (paragraph [0025], lines 8-12)

(e) locating an instance of the requested native resource in the user isolation

scope; (paragraph [0025], lines 10-14)

and (f) responding to the request for the native resource using the instance of the

resource located in the user isolation scope. (paragraph [0025], lines 10-16)

As per claim 20, Kaqi teaches

step (e) comprises failing to locate an instance of the requested native resource

in the user isolation scope. (paragraph [0063], lines 3-5)

As per claim 21, Kaqi teaches

step (f) comprises redirecting the request to a second application isolation scope.

(paragraph [0025], lines 8-12)

As per claim 22, Kaqi teaches

(d) locating an instance of the requested resource in the second application

isolation scope; (paragraph [0025], lines 8-12)

and (e) responding to the request for the native resource using the instance of

the native resource located in the second application isolation scope. (paragraph [0025],

lines 10-14)

As per claim 23, Kaqi teaches

An isolation environment for isolating access by application programs to native

resources provided by an operating system, the isolation environment comprising: (see

abstract and background)

a user isolation scope storing an instance of a native resource, the user isolation scope corresponding to a user; (virtual machine which performs isolation by virtualizing resources, paragraph [0019], lines 5-15)

and a redirector intercepting a request for the native resource made by a process executing on behalf of the user and redirecting the request to the user isolation scope. (virtual devices virtualize functionalities of physical devices, paragraph [0026], lines 1-3)

As per claim 24, Kaqi teaches

the isolation environment further comprises an application isolation scope storing an instance of the native resource. (paragraph [0026], lines 2-6)

As per claim 25, Kaqi teaches

the isolation environment further comprises a second application isolation scope storing an instance of the native resource. (paragraph [0025], lines 6-12)

As per claim 26, Kaqi teaches

the redirector returns a handle to the requesting process that identifies the native resource. (paragraph [0028], lines 10-14)

As per claim 27, Kaqi teaches

a rules engine specifying behavior for the redirector when redirecting the request. (paragraph [0032], lines 4-10)

As per claim 28, <u>Kagi</u> teaches

the redirector comprises a file system filter driver. (paragraph [0032], lines 2-5)

As per claim 29, <u>Kagi</u> teaches

the redirector comprises a function hooking mechanism. (paragraph [0038], lines 4-8)

As per claim 30, <u>Kagi</u> teaches

the function hooking apparatus intercepts an operation selected from the group of file system operations, registry operations, operating system services, packing and installation services, named object operations, window operations, file-type association operations and Component Object Model (COM) server operations. (paragraph [0026], lines 8-15)

As per claim 31, <u>Kagi</u> teaches

the application isolation environment further comprises a second user isolation scope storing a second instance of the native resource. (paragraph [0025], lines 8-12)

As per claim 32, <u>Kagi</u> teaches

the application isolation environment further comprises a second user isolation

scope storing an instance of the native resource, the second user isolation scope

corresponding to a second user. (paragraph [0025], lines 10-14)

Response to Arguments

8.   Applicant's arguments with respect to claims 1-32 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

9.   The prior art made of record, listed on form PTO-892, and not relied upon is

considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-

7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jay Morrison   Tim Vo
TC2100   TC2100

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168